



#27
EOT/Response
2-6-03
mly

DOCKET NO. 614.1804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Koji ARAI

Serial No.: 08/796,752

Group Art Unit: 2665

Confirmation No.: 9335

Filed: February 6, 1997

Examiner: P. Nguyen

For: COMMUNICATION METHOD AND APPARATUS FOR A RADIO LOCAL AREA
NETWORK SYSTEM USING A MACRODIVERSITY

RECEIVED

FEB 06 2003

Technology Center 2600

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed October 1, 2002, and having a period for response set to expire on January 1, 2003. A Petition for a one-month extension of time, together with the requisite fee for same, is submitted herewith, thereby extending the period for response to February 1, 2003.

Claims 3-5, 8, 9, 11, 12, 22, and 23 are pending in this application. Claims 3-5, 8, 9, 11, and 12 have been allowed. Claims 22 and 23 have been rejected.

The following remarks are respectfully submitted.

Rejections Under 35 U.S.C. §§102 and 103

In item 2 on pages 2-5 of the Office Action, the Examiner rejected claims 22 and 23 under 35 U.S.C. § 102(b) as being anticipated by Nishimura et al. (U.S. Patent No. 5,400,024). In item 4 on pages 5-7 of the Office Action, the Examiner rejected claims 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Nishimura. Also, in item 5 on pages 7 and 8 of the Office Action, the Examiner rejected claims 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Iguchi et al. (U.S.

02/04/2003 SDENB0B1 00000068 08796752

01 FC:1251

110.00 OP



2665\$

S&H Form: (10/01)

REPLY/AMENDMENT FEE TRANSMITTAL	Attorney Docket No.	614.1804	
	Application Number	08/796,752	
	Filing Date	February 6, 1999	
	First Named Inventor	Koji ARAI	
	Group Art Unit	2665	
AMOUNT ENCLOSED	110.00	Examiner Name	P. Nguyen

RECEIVED

FEB 06 2003

Technology Center 2600

FEE CALCULATION (fees effective 10/01/01)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	9	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	9	- 13 =	0	X \$ 84.00 =	0.00

Since an Official Action set an original due date of January 1, 2003, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$410); 3 months (\$930); 4 months (\$1,450); 5 months (\$1,970)):

110.00

If Notice of Appeal is enclosed, add (\$320)

0.00

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110)

0.00

Total of above Calculations =

\$ 110.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

TOTAL FEES DUE =

\$ 110.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

- ☒ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- Deposit Account No. 19-3935
- Deposit Account Name STAAS & HALSEY LLP
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	Christine Joan Gilsdorf	Reg. No.	43,635
Signature	<i>C. Joan Gilsdorf</i>	Date	Feb. 3, 2003